

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CA NO. 04-10927-RGS

RONALD JORDAN, ROBERT
MCKAY, and MBTA POLICE
PATROLMAN'S UNION,
Plaintiffs,

v.

JOSEPH C. CARTER, Individually
and as Chief of the MBTA Police
Department, and MBTA POLICE
DEPARTMENT,
Defendants.

ASSENTED TO MOTION TO EXTEND DEADLINE FOR SUMMARY JUDGMENT
OPPOSITION

The plaintiffs in the above action, through their counsel, move to extend the time in which to file their opposition to the defendants' motion for summary judgment up to and including February 2, 2007.

As grounds therefor, counsel for the plaintiffs states that he is scheduled to commence three trials during the month of January with the first in the matter of Rosenthal v. Town of Brookline, 04-12092-DPW on January 8, 2007 and two others in Essex County Superior Court on January 16, 2007 and Wareham District Court on January 21, 2007.

Wherefore, the plaintiffs respectfully request that the above extension be allowed.

The Plaintiffs,

By their Attorneys,

/s/ James W. Simpson, Jr.
Merrick, Louison & Costello, LLP.
67 Batterymarch Street
Boston, MA 02110
BBO# 634344

(617) 439-0305

The defendant, Joseph Carter, and
the MBTA Police Department
By their attorneys,

/s/ Mark W. Batten
Mark W. Batten (BBO# 566211)
Eben A. Krim (BBO# 652506)
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(617) 526-9850

CERTIFICATE OF SERVICE

I, James W. Simpson, Jr. hereby certify that on January 5, 2007 I served the foregoing by causing a copy to be electronically directed to: **Mark W. Batten, Esquire**, PROSKAUER ROSE, LLP, One International Place, Boston, MA 02110.

/s/ James W. Simpson, Jr.
James W. Simpson, Jr.